IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE D.S.R.VARMA
WRIT PETITION NO : 16985 of 1994

Between:
G. Satyanarayana Reddy S/o. Ramachandra Reddy,
Aged about 56 years, Conductor, A.P.S.R.T.C.
Achampet Bus Depot, Mahabubnagar District.

..... PETITIONER

AND

1 The Presiding Officer, Labour Court No.III, Hyderabad.
2 The Depot Manager, A.P.S.R.T.C., Achampet Bus Depot, Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that the High Court may be pleased to issue Rule Nisi calling for all the records leading upto and inclusive of orders in M.P.No.19 of 1992 dated 27.9.1993 of the first respondent herein and quash the same as being illegal and arbitrary by issuing a Writ, order or direction particularly one in the nature of Writ of Certiorari.

Counsel for the Petitioner: MR. SYED SHAREEF AHMED

Counsel for Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for Respondent No.2: None appeared.

The Court made the following:

ORAL ORDER:

Heard both sides.

2. This writ petition is directed against the Award, dated 27-09-1993, passed by the Labour Court-III, Hyderabad.

3. The workman is the petitioner herein. He filed M.P.No.19 of 1992 under Section-33 (C) (2) of the Industrial Disputes Act, 1947, seeking certain arrears of wages due for the period he worked.

4. The facts would reveal that the petitioner was to report to duty on

10-5-1983, but that was not done. Instead of joining the duty, he addressed a letter in the month of October, 1986, seeking posting. In the meanwhile, since he was found to be absent, he was removed from the roles. Further, as to what had happened and what the workman was doing from 10.05.1983 till October, 1986 was not explained by him. This conduct on the part of the workman was rightly found fault with by the Labour Court. Because of his conduct, the management could not give any posting orders to him. However, he was taken into service in the year 1992.

5. From the impugned Award, it could be seen that the petitioner was reinstated into service on 18-9-1992. Therefore, having regard to the said fact, the Labour Court has rightly rejected the claim of the petitioner insofar as the wages are concerned from 10-5-1983 till the actual date of his reinstatement into service i.e. 18-9-1992.

6. For the foregoing reasons, I do not find any merits in the writ petition and the same is liable to be dismissed.

7. In the result, the writ petition is dismissed. However, there shall be no order as to costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Dated: 18th June, 2004.

Krk/ak*

Copies to
1.The Presiding Officer, Labour Court-III, Hyderabad.
2.The Depot Manager, A.P.S.R.T.C., Achampet Bus Depot, Mahabubnagar district.
3.Two CCs to the learned Government Pleader for Social Welfare, High Court Buildings, Hyderabad (O.U.T).
4.Two CD copies.